

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Replacement of Part 90 by Part 88 to)
Revise the Private Land Mobile Radio)
Services and Modify the Policies)
Governing Them)
)
and)
)
Examination of Exclusivity and)
Frequency Assignment Policies of the)
Private Land Mobile Radio Services)

PR Docket No. 92-235

To: The Commission

REPLY COMMENTS OF UTC

Pursuant to Section 1.429 of the FCC's Rules, UTC, The Telecommunications Association (UTC)¹, hereby submits the following reply to the comments filed on UTC's "Petition for Clarification" with respect certain aspects of the *Second Report and Order* (*Second R&O*), FCC 97-61, released March 12, 1997, in the above-captioned proceeding.² As discussed more fully below, UTC's petition requests clarification of the procedures for the authorization of trunking in the bands below 512 MHz.

¹ UTC was formerly known as the Utilities Telecommunications Council.

² UTC's petition and other petitions for reconsideration/clarification in this proceeding were placed on Public Notice on June 4, 1997, at 62 Fed Reg. 30586-87.

I. Co-Channel Concurrence For Trunking Should Be Based On Signal Contours

A key goal of the Commission in attempting to “refarm” the private land mobile radio spectrum below 512 MHz has been to promote the introduction of more efficient technologies such as centralized trunking. In its Petition for Clarification, UTC sought clarification of certain ambiguities in new Section 90.187 relating to the authorization of trunking systems below 512 MHz. Specifically, UTC suggested that the new Section 90.187(b)(2)(ii) requirement that trunking applicants obtain concurrence to protect co-channel licensees up to a radius of 113 km (70 mi.) is excessive.

A number of commenting parties agree with UTC and question whether these requirements are necessary.³ Motorola notes that requiring routine coordination and concurrence beyond 70 miles is excessive and attempts to maintain a quality of service not now achieved in these congested frequency bands. As UTC indicated in its petition, the adopted rule is not only inconsistent with Section 90.205(d), which generally authorizes service areas greater than 80 km (50 mi.) only on a secondary basis, but also with Section 90.621(b), which provides for 113 km (70 mi.) separation in the 800 MHz band between co-channel systems.

While the rules on trunking must incorporate safeguards to ensure that licensees of other systems are adequately protected from interference by the trunked system operator, UTC is concerned that the adoption of an excessive co-channel protection standard could hinder the deployment of trunking technologies in many areas of the

³ Affiliated American Railroads (AAR), p. 2; Forest Industries Telecommunications (FIT), p. 2; Industrial Telecommunications Association (ITA), pp. 4-5; Motorola, p. 8; and Personal Communications Industry Association (PCIA), p. 2.

country. In attempting to balance these two competing considerations, UTC believes that the use of actual signal contours rather than arbitrary mileage separations is the best method to define the areas in which concurrence must be obtained. As Motorola states, consideration of overlapping service contours and interference contours is a more precise method of ensuring that those stations that actually require interference protection are being consulted on the deployment of new trunked stations.⁴

II. Future Protection for the Trunked Facility

In its petition UTC sought clarification as to the level of protection afforded a trunked licensee from new licensees. UTC noted that Section 90.187(b)(2)(iii) provides only as follows:

“New licensees will only be assigned the same channel as a trunked system, if the new licensee reaches an agreement with the licensee(s) of the trunked system.”

This language strongly implies that the authorization of a trunked facility should be afforded a protected service area with regard to potential new co-channel licensees.⁵

Consistent with the above discussion regarding the appropriate service area for which a trunked licensee is required to obtain co-channel concurrence, UTC recommends that the protected service area for trunked channels be established by reference to the signal area contours for which the trunked licensee was required to obtain concurrence.

⁴ Motorola, p. 8.


⁵ However unlike centralized trunking, the FCC should clarify that the use of decentralized trunking does not, of itself, provide the system licensee with any protection from future licensing of co-channel operations.

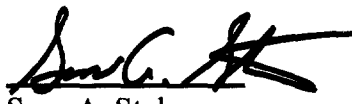
Similarly, the FCC must clarify whether adjacent channel operations are to be considered when a new system is proposed in the vicinity of an authorized trunked system.

WHEREFORE, THE PREMISES CONSIDERED, UTC requests the Federal Communications Commission to take action on UTC's Petition for Clarification in accordance with the views expressed in these reply comments.

Respectfully submitted,

UTC

By:  (SAS)
Jeffrey L. Sheldon
General Counsel


Sean A. Stokes
Associate General Counsel

UTC
1140 Connecticut Avenue, N.W.
Suite 1140
Washington, D.C. 20036
(202) 872-0030

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I, Ryan Oremland, of UTC hereby certify that the foregoing document was served by first-class mail, postage prepaid, this 30th day of June, 1997 on the following parties:

Thomas J. Keller, Esq.
Leo R. Fitzsimon, Esq.
Verner, Liipfert, Bernhard,
McPherson and Hand
901 15th Street, N.W.
Suite 700
Washington, D.C. 20005
Attorneys for Affiliated American Railroads

George Petrusas, Esq.
Fletcher, Heald & Hildreth
1300 North 17th Street
11th Floor
Rosslyn, Virginia 22209
Attorney for Forest Industries Telecommunications

Richard C. Barth
Director of Telecommunications
Strategy and Regulation
Motorola
1350 Eye Street, N.W.
Washington, D.C. 20005

Mark E. Crosby
Industrial Telecommunications Association
1110 N. Glebe Road, Suite 500
Arlington, Virginia 22201-5720

Mark J. Golden, Esq.
Personal Communications Industry Association
500 Montgomery Street
Suite 700
Alexandria, Virginia 22314


Ryan Oremland